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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

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In re application of: Rosen et al.

Application Serial No.: 10/023,584

Art Unit: Unassigned

Filed: December 21, 2001

Examiner: Unassigned

For: **Human Vascular Endothelial Growth
Factor 2**

Attorney Docket No.: PF112P1D2



**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT PURSUANT TO 37 § CFR 1.56**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the Statutory Declaration of Francis John Ballard, executed on December 12, 2001 and accompanying Exhibit 1.

The above-listed declaration and accompanying exhibit were brought to the attention of the Applicants in connection with an opposition to an Australian application that essentially corresponds to the U.S. priority application in this case. A copy of the above-listed Declaration and accompanying exhibit thereto, are enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.


Identification of the listed document(s) is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed document(s) should it applied as reference(s) against the claims of the subject application.

Applicants respectfully request that the Examiner acknowledge receipt of the enclosed Declaration and exhibit attached thereto, in the file of the instant application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425. A Fee Transmittal is also enclosed.

Respectfully submitted,

Dated: 1/23/02


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Enclosures
MMW/AKR/lcc